

THE IMPACT OF WORLD WAR II ON RACE RELATIONS IN  
MOBILE, ALABAMA, 1940-1948

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## INTRODUCTION

In spite of its long history and national acclaim there is a very limited amount of truly academic material done on Mobile, Alabama even by students of universities and colleges within the state. This is surprising since the city has a highly interesting past, particularly during the years of World War II. For Mobile, Alabama's only seaport, provides an excellent example of the impact of war defense industries on the economic, political, and social life of a community. During the war years, the rapid expansion of the shipbuilding industry alone was responsible for the influx of thousands of people into the city. The introduction of an air base--Brookley Air Depot--was also a major cause of change as it offered means of employment for citizens and migrants as well as added a third aspect of change--the inflow of United States servicemen.

Predominant in this influx were Blacks who were fully aware of the federally connected employment opportunities offered by these institutions. Of such proportions was Mobile's growth that the city's population jumped from 110,805 in 1940 to approximately 201,369 in 1944. The native Blacks and the large number who migrated from rural areas were conscious not only of the economic advantages afforded by the federal government, but of the political and social implication involved as well.

The change in the economic status of Blacks in Mobile was a direct result of the war effort. The shipbuilding industry and civilian employment at Brookley enabled Blacks to elevate themselves financially. The

jobs, however, were not without open discrimination and very often intimidation. The impact of discrimination in employment was manifested in a riot in 1943 caused by the promotion of twelve Blacks to the position of welders at the shipyard. Although they provoked no riot, the merchant marines and the United States Post Office were also guilty of discriminatory practices which caused discomfort to several people.

As politics plays an important role in the lives of all citizens, political activity was necessarily influenced by the tide of Black migrants and citizens of the city. These activities were manifested in the struggle for the franchise, despite the case of *Smith v. Allwright* (1944) which outlawed the white primary in Texas. In order to curtail such pursuits, litigations were begun by Alabama's legislative body. Foremost among these was a constitutional amendment named for its author--E. C. Boswell, which was ratified by the voters of Alabama in 1901. Also instrumental in the reduction of Black voters was the city's board of registrars who often used rather unscrupulous methods to limit their number. Once the franchise was obtained, however, there were obstacles which made it impossible for Blacks to fully participate in the election process.

The abrupt changes in all aspects of city life caused anxiety among some whites who retaliated by inflicting personal abuses on Blacks. Blacks in the area were subjected to physical assaults and confinement for seemingly no cause. Such abuses were not limited to Black civilians, as Black soldiers were court-martialed for the slightest reasons and harassed by local whites.

The impact of war defense industries and the advent of Brookley Air Depot caused an influx of Black migrants that almost completely altered

many aspects of pre-war Mobile. The records of such alterations are still available in the city; among them are the records of the Mobile Branch of the NAACP, the Mobile Register, and the personal memories of the Black people of the Mobile area who were residents of the city during the years 1940-1948, some of whom were interviewed by the author. There were several problems, however, in the actual usage of this material. The major one was the lack of serious research done thus far on the city. Also a problem of major proportions was the absence of a Black newspaper printed during this period. It is evident that neither editors nor owners realized the importance of preserving copies of their editions. Minor difficulties included the condition of the papers and letters of the NAACP and the hostilities of the librarians in the microfilm room at the Mobile Public Library.

But special credit should be given to Mr. John LeFlore for allowing me to use the papers of the Mobile Branch of the NAACP which were housed in his son's home. Mr. LeFlore is a native Mobilian who has been interested in civil rights for a number of years. He, along with William Bolden and Bib Johnson, founded the Mobile Branch of the NAACP in 1925. He is currently a retired postal employee but is an active member of the Alabama State Advisory Committee to the U. S. Civil Rights Commission, Mobile Housing, the Regional Committee for HEW, and the Non-Partisan Voters League. He is also Associate Editor of the Mobile Beacon, and radio commentator of station WM00.

## CHAPTER I

### MOBILE 1940 -- A BLACK PERSPECTIVE

Mobile's white citizens in 1940 were extremely proud of the city. Its streets lined with large moss draped trees did much to restore both mentally and physically the idea of "southern plantation beauty." The idea of southern beauty was re-enforced by the preservation of Oakleigh, later to become Mobile's official ante-bellum home, and the continual building of homes on the mansion style that Southerners insist on believing were so prevalent during the ante-bellum period. Indeed, some of the tourist attractions of the city during 1940 were centered around that same theme. Foremost among them was the Azalea Trail Festival, which included a thirty-five mile drive along one of the city's oldest streets where ante-bellum homes were numerous, and the crowning of a white queen dressed appropriately in an ante-bellum dress.<sup>1</sup>

Yet, in spite of the hold of tradition, Mobile was eager for progress if it did not alter the city's existing social and cultural mold. In 1940, examples of acceptable innovations included the opening of the Bankhead Tunnel which made automobile passage possible under the Mobile River; and the planning of Dauphin Island--a beautiful white-sanded area open only to whites.<sup>2</sup> The year's development of the greatest proportion,

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<sup>1</sup> Mobile Area Chamber of Commerce, telephone interview, June 3, 1970.

<sup>2</sup> First National Bank of Mobile, Highlights of One Hundred Years in Mobile (Mobile: Powers Co., 1965), p. 12.

however, was the construction of Brookley Air Depot. A major air base, Brookley was constructed as a center for air plane modification. An ocean terminal was added to the base, making it the only Army Air Force installation with deep water port facilities.<sup>3</sup>

The importance of Brookley was magnified by its potential in civilian employment. Heretofore, employment in Mobile, excluding professionals, centered around pulp and paper production, bauxite reduction, lumber and woodworking, mixing of fertilizer, textile manufacture, naval stores extraction, processing of food products, paint manufacture, steel fabrication, shipbuilding, loading and unloading of cargo at the state docks, petroleum refining, and the manufacture of asphalt and asbestos roofing.<sup>4</sup> It was from non-professional jobs in these industries that most Blacks earned their meager living. Upon interviewing five people who live in the city at this time, it was their unanimous opinion that jobs at the shipyard and the state docks were the best methods of obtaining a living in 1940. One interviewee recalled that during this year wages at the state dock ranged from seventy to ninety-five cents an hour, while a local pulp and paper industry paid only forty cents an hour to common wage laborers. Jobs in these private industries presented no possibilities for significant promotions, thus destining Blacks to lives filled with economic and personal frustrations.<sup>5</sup>

Women were even more circumscribed in their search for meaningful

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<sup>3</sup>Ibid., p. 25.

<sup>4</sup>R. L. Polk, ed., Mobile's City Directory (Mobile: R. L. Polk, 1940), p. 16.

<sup>5</sup>Tucker Drake, private interview with the author, Mobile, Alabama, June 17, 1970.

employment. Their only chance for employment lay in becoming a domestic, cleaning woman, or laundress. As domestics, Black women were expected to wash, iron, cook, clean house, and take care of the family's children. It was considered mandatory that the maid address her employer's children as "Mister" or "Miss", no matter what their ages, while the children were permitted to address her by her given name. Her degradation went further as she was not allowed to eat with her employer's family; instead she had to eat in the kitchen or on the back porch. The Black woman's wages as a domestic ranged from \$4 to \$8 per week, depending upon the status and the generosity of her employer. For those who could not gain full employment as a domestic, washing and ironing in their own home was often substituted as was cleaning office buildings, schools, etc.<sup>6</sup>

The inadequacies stemming from the lack of employment opportunities were most evident in the Black community. Located in two major areas, one northwest of the downtown business section and the other just south of the city limits (though considered a part of the Mobile community), Black neighborhoods were in deplorable condition. The streets of the residential section were not paved, making automobile passage in rainy weather extremely difficult. The complete lack of a drainage system compounded the problem. Open ditches were a menace to residents as they not only had an odor but were a breeding place for mosquitoes and others insects. The majority of homes in these areas consisted of only three rooms--a living room usually converted into a bedroom during the night, a bedroom, and a kitchen. Repairs on these "shotgun" homes were rare, consequently the neigh-

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<sup>6</sup>Clara Drake, private interview with the author, Mobile, Alabama, June 17, 1970.



borhood had a "run-down" look. Such homes were usually owned by white realtors as very few Blacks were financially secure enough to build their own homes. Most of these houses lacked running water, and those that were able to boast of having running water facilities usually had only cold water. In addition to other defects, bathroom facilities were lacking; thus necessitating the use of outside toilets that went unchecked by city sanitation officials.<sup>7</sup>

The mecca of the Black community was Davis Avenue, located in the north central section of the city. Situated on the avenue were department and grocery stores usually owned by whites. Such stores were not up to par in appearance with downtown stores. Grocery stores, for example, sold live chickens that were housed in coops in front of the store. These chickens not only detracted substantially from the general appearance of the avenue but emitted a strong odor as well. More importantly, Davis Avenue was the general locale for Black businesses. These businesses were of the sort that could survive with only a Black clientele, for example, beauty parlors, barber shops, Black doctors and dentists' offices, and night clubs.<sup>8</sup>

Night clubs were a major form of entertainment in 1940. Many were constructed in the residential section of Black communities. Such buildings were often no more than long wooden shanties with space allotted for drinking and dancing. Aside from night clubs there existed for entertainment two movie theaters with Black clientele located on Davis Avenue. Blacks

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<sup>7</sup>Ellen Dortch, private interview with the author, Mobile, Alabama, June 17, 1970.

<sup>8</sup>Clara Drake, interview.

were able to use a third theater which was located in the general downtown business area, provided they were willing to enter by the side door and sit in the balcony. There were no parks where Black children could enjoy recreational facilities. Bienville Square, the public square situated in the middle of the city's downtown section, was even closed to Blacks unless they were performing duties for whites such as babysitting with white children.<sup>9</sup> During the same year a new bandstand was constructed in the area. Public schools for Blacks were also below white standards. In 1940 there were 23,987 students housed in 39 public schools. Only thirteen of these, however, were for Blacks.<sup>10</sup> According to information obtained from interviewees with children in school during this year, Black teachers had only to complete high school to qualify to teach Black children.

Politics was an element almost completely lacking in the lives of Blacks. Apathy which stemmed from institutionalized racism did much to disinterest Blacks in the political activities of the city. None of the interviewees could remember candidates for public offices soliciting the Black vote. The Black vote in 1940 actually was cast by an insignificant number of the Black middle class. Aside from traditional apathy there were other reasons why Blacks were reluctant to register to vote, probably the most important were the attitudes of all white registrars and a poll tax which Blacks simply could not afford to pay.<sup>11</sup>

In addition to being neglected by public and private concerns, the city's newspaper, the Mobile Register, also treated Blacks negligently. Possessing neither economic nor political power, Blacks were forced The newspaper almost totally ignored Blacks except to report crimes and a

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<sup>9</sup>Beatrice Riley, private interview with the author, Mobile, Alabama, June 17, 1970. <sup>10</sup>Flore, Secretary, Mobile Branch of the NAACP, to J. W. Condon, May 17, 1940, John LeFlore Papers. Hereafter cited as LeFlore Papers. <sup>11</sup>Polk, Mobile, p. 7.

<sup>11</sup>Mary Manuel, private interview with the author, Mobile, Alabama, June 17, 1970.

to suffer constant social and personal degradation. A case in point came in 1940 when Mobile abolished trolley cars and installed bus lines. Upon using the bus facilities Blacks were forced to ride in the rear. They were not allowed to sit in seats located in front of the side exit of the bus. It was reported that when the "colored" section of the bus was filled and the "white" section was empty, Blacks were still not allowed to sit beyond their designated area. During the same year a new bandstand was constructed at Bienville Square by Sears, Roebuck. Blacks were denied the use of toilet facilities. John LeFlore, Secretary of the Mobile Branch of the NAACP, wrote a letter to E. J. Condon, assistant to the President of Sears, Roebuck, to impress the company the need for such a convenience. LeFlore stated:

Knowing what would happen to a colored person, particularly a man, if unable to control the desires of nature in the downtown area of Mobile, and public toilet facilities are available as happens to be the condition now, we again respectfully ask that the Sears, Roebuck Company use its influence to have toilet facilities for colored men and women included in the new bandstand you are donating to the city of Mobile.<sup>12</sup>

Pleas were also made to S. H. Kress Company to establish a lunch counter for Blacks, so that they might have the convenience of eating while shopping.<sup>13</sup>

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<sup>12</sup> John LeFlore, Secretary, Mobile Branch of the NAACP, to E. J. Condon, May 17, 1940, John LeFlore Papers. Hereafter cited as LeFlore Papers.

<sup>13</sup> John LeFlore to S. H. Kress Co., May 17, 1940, LeFlore Papers.

few public announcements. In such articles Black women were belittled by editors and writers who failed to address them as "Miss" or "Mrs."

In short, Blacks in Mobile lived, worked, and played in their own community. Their only contact with whites was to serve them or to spend money in white owned businesses. Such was the condition in Mobile during a world war to preserve freedom and justice under the law.

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## CHAPTER II

aiding men during this period is unfair. Letters were sent to the Gulf

Mobile and Ohio **EMPLOYMENT PROBLEMS IN THE PORT CITY** continued asking for application to the job of "colored

traveling passenger agent", and to the Mobile Light and Railroad Company

As economics represent the backbone of the economic system of all for any job open to Blacks during that year.<sup>3</sup>

levels of government in America, it is imperative that the majority of

Black males were restricted from many areas of employment because the citizens of this country be gainfully employed. People work for they were not trained. Although vocational training was available at this several reasons, although most do so for family security. Traditionally time in the Mobile area through the War Manpower Commission, Blacks were in America the task of earning enough money to provide shelter, clothing barred from courses in welding, machine shop work, and blue print reading and food for a family has been given to the male member of the household.

and mechanical drafting. The explanation given for the discrimination. However, many situations contradict this fact by forcing the wife or the training program was that Mobile did not supply employment opportunities for Blacks in such fields. At the time of the war were making some Presumably women were chosen because they could do the same work for less

wages. As Black men were not employed in skilled capacities in industries concerned with the unavailability of Black employment in Mobile, while graduates were being shipped to Pearl Harbor in Honolulu, Hawaii to be tries at this time, women were probably used in janitorial jobs there.

employed. Blacks were not.<sup>4</sup> Also women had the advantage in gaining employment as cooks, maids, and

babysitters, since men were not generally considered for such positions.

of the NAACP tried to protest such actions. The National Defense Advisory

The Mobile Branch of the National Association for the Advancement Commission was asked for cooperation in an effort to alleviate conditions of Colored People, in its attempt to get meaningful and well paying employment conditions which have emasculated the possibility of equitable consideration for Blacks, was successful in some of its endeavors to obtain other

positions for Black women. In August, 1940, five women were placed in

<sup>2</sup>John LeFlore to C. C. Horton, Work Projects Administration, November the public relations department of the Mobile Bus System, while five others

were employed as enumerations for the census taking of that year.<sup>1</sup> Later October 10, 1940, LeFlore Papers.

<sup>1</sup>John LeFlore to William H. Pickens, Director of the NAACP Branches, August 28, 1940, LeFlore Papers.

in that same year another woman was given employment at Mobile's Beautification project.<sup>2</sup>

To assume that the Mobile Branch of the NAACP was not concerned in aiding men during this period is unfair. Letters were sent to the Gulf, Mobile and Ohio Railroad asking for applications for the job of "colored traveling passenger agent", and to the Mobile Light and Railroad Company for any job open to Blacks during that year.<sup>3</sup>

Black males were restricted from many areas of employment because they were not trained. Although vocational training was available at this time in the Mobile area through the War Manpower Commission, Blacks were barred from courses in welding, machine shop work, ship blue print reading and mechanical drafting. The explanation given for the discrimination in the training program was that Mobile did not supply employment opportunities for Blacks in such fields. At the time officials were making statements concerning the unavailability of Black employment in Mobile, white graduates were being shipped to Pearl Harbor in Honolulu, Hawaii to be employed. Blacks were not.<sup>4</sup>

As the training program was a government project, the Mobile Branch of the NAACP tried to protest such actions. The National Defense Advisory Commission was asked for cooperation in an "effort to alleviate obstinate conditions which have emasculated the proposition of equitable considera-

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<sup>2</sup>John LeFlore to C. C. Morton, Work Projects Administration, November 14, 1940, LeFlore Papers.

<sup>3</sup>John LeFlore to G. P. Brock, Gulf, Mobile and Ohio Railways, October 10, 1940, LeFlore Papers.

<sup>4</sup>John LeFlore to Sidney Hillman, National Defense Advisory Commission, November 11, 1940, LeFlore Papers.

tion for all irrespective of race, in the program."<sup>5</sup> The executive assistant in Vocational Education, R. V. Billington, was also asked to aid in the elimination of discriminatory practices.<sup>6</sup>

Such letters served no purpose, however, for in 1941 the problem of vocational discrimination was still of major concern. The situation had new overtones, for now the NAACP was threatening legal action against the State Supervisor of Trade and Industrial Education. Thurgood Marshall, Defense Attorney for the NAACP, advised the local branch that the best procedure to alleviate these discriminatory practices would be to bring all available material to a conference in Houston, Texas, at which time the NAACP could "make one test case apply to all of the states rather than to several cases."<sup>7</sup> Because of the insistence of the Mobile Branch for immediate action in Alabama, Mr. Marshall relented and gave instructions for an investigation to be conducted by Attorney Arthur B. Shores of Birmingham.<sup>8</sup> During the interim the State Supervisor of Trade and Industrial Education, E. R. Plowden, intervened and consented to provide vocational training for Blacks if Alabama industries would agree to hire those who were skilled.<sup>9</sup>

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<sup>5</sup>Ibid.

<sup>6</sup>John LeFlore to R. V. Billington, Executive Assistant in Vocational Education, November 16, 1940, LeFlore Papers.

<sup>7</sup>Thurgood Marshall, NAACP Defense Department, to John LeFlore, April 29, 1941, LeFlore Papers.

<sup>8</sup>Marshall to LeFlore, May 7, 1941, LeFlore Papers.

<sup>9</sup>John LeFlore to E. R. Plowden, State Supervisor of Trade and Industrial Education, May 1, 1941, LeFlore Papers.

Opportunities for skilled Blacks did eventually appear. The biggest market for such laborers was the Alabama Drydock and Shipbuilding Company. According to John LeFlore, the company at this time was building a number of ships and retaining a repair yard. At one time it employed more than 26,000 workers. The vast majority of whites employed were from rural areas of Alabama and Mississippi and were described generally as the "type who lived under the influence of the Dred Scott decision of 1857."<sup>10</sup>

Black graduates of the vocational training school were indeed employed as welders and shipfitters at the Alabama Drydock and Shipbuilding Company in accordance with President Franklin D. Roosevelt's Executive Order 8802. On May 24, 1943, eight Black workers were upgraded to the position of welders. The promoted Blacks were being used on a few of the ships under construction in the north section of the yard at the Pinto Island plant of the shipbuilding company. On the first day of work in their new position, Black welders were separated from whites and there was no incident. The following morning false rumors caused the disturbance in which stones, sticks and pipes were used.<sup>11</sup> More than one hundred Blacks were injured, some quite seriously. Those who escaped injury were escorted from the premises by military and civil authorities.<sup>12</sup>

Two whites were arrested. James Melvin Jackson, of a local address, was confined to the county jail on a charge of assault with intent to murder; bond was set at \$2,500. The other individual, G. T. Willingham, was

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<sup>10</sup>John LeFlore, private interview with the author, August 4, 1970.

<sup>11</sup>Mobile Register, May 28, 1943, p. 1.

<sup>12</sup>Ibid., May 26, 1943, p. 1.



apprehended on a warrant that "he used threats to do bodily harm which incited riot at plant." Willingham had previously stated that it was his opinion that Blacks should be taken into the army and out of the shipyards. His bond was placed at \$5,000.<sup>13</sup>

In order to halt any other acts of violence, Governor Chauncey Sparks at Montgomery called out three hundred and fifty state guards. The city police, under Chief Dudley McFadyen, were placed on overtime shifts while Sheriff William H. Holcombe ordered his special deputies, consisting of several hundred, to be prepared for any emergency summons for active duty. Also "an adequate number" of troops from Brookley Air Depot was on duty. These armed soldiers patrolled the entrance to the plant during the night. Illuminated signs were displayed which read, "United States troops are here to protect government property and to see that there is no interference with the war effort."<sup>14</sup> Subsequently, four additional companies of state guards were summoned from Mont Andalusia and Tuscaloosa by Governor Sparks.

The Governor also issued an order to close all liquor stores throughout Mobile and Baldwin counties. This order was extended so that it would include all taverns throughout the counties where intoxicants were sold.<sup>15</sup>

Aside from the influx of military and civil authorities and the obstruction of the sale of intoxicants, other steps were taken to prevent the reoccurrence of violence. Telegrams were sent to Senator Harry Truman, head of the Senate War Investigating Committee, the War Department, and

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<sup>13</sup>Ibid., May 28, 1943, p. 6.

<sup>14</sup>Ibid.

<sup>15</sup>Ibid., May 26, 1943, p. 1.

the Fair Employment Practice Commission by the Mobile Branch of the NAACP to inform them of the incident. In response, Clarence Mitchell flew into Mobile to investigate the situation as an official agent of the Fair Employment Practice Commission. There is no available record of his finding.<sup>16</sup>

In another effort, Frank O. Jones, President of the Central Trade Council of the American Federation of Labor, "sent orders to Negro members of his union at work on construction projects throughout the city to abandon their jobs, go to their homes and remain there." According to Mr. Jones, seven thousand workers were affected and the steps that he suggested were given in behalf of the laborers themselves.<sup>17</sup> Blacks, however, made their own decision about returning to work when on May 26, approximately two hundred of them met at the Black local Young Men's Christian Association under the protection of the police. C. Y. Hall, of the shipbuilding company's personnel department; J. Diehl, director of all Black labor at the shipyard; Ed Hayes and Roland Hobdy, Black employees at the yard, were the principal speakers. Diehl assured the employees that they could return to work without fear of violence and that they would not be required to enter the welding crews.<sup>18</sup> To further assure the workmen of their safety, Governor Sparks issued a statement from the capitol that "every man will be protected in his legitimate occupation while going to and returning from work. . . . This purpose on my part applies to both races. They will have equal protection of the laws."<sup>19</sup> With this assurance,

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<sup>16</sup>Ibid.

<sup>17</sup>John LeFlore, private interview with the author, August 4, 1970.

<sup>18</sup>Mobile Register, May 27, 1943, p. 2.

<sup>19</sup>Ibid.

Blacks returned to work the following day.

Several people speculated as to why the riot took place. According to the secretary of the Mobile Branch of the NAACP, it was racism among white workers.<sup>20</sup> The Mobile Register moreorless agreed when it stated that the incident began because of an "indiscreet mingling" of the Black and white races, and that "only by working the white and Negro worker in separate crews and announcing to the shipyard employees that it will be unalterable policy" will such incidents be prevented.<sup>21</sup>

In general, the situation was deplored. Another editorial condemned its occurrence for "it caused disruption of work on sorely needed ships and thereby gave a measure of aid and comfort to the enemy." It concluded with a request to the citizens of Mobile: "Let those unthinking seeds of racial hatred remember they do violence to the nation's cause and are performing a great favor for the enemy."<sup>22</sup>

Federal soldiers were finally withdrawn on June 10, and the situation at the shipyard returned to normal.<sup>23</sup>

Aside from the struggles concerning discrimination in jobs at the Alabama Drydock and Shipbuilding Company, the Mobile Branch of the NAACP was faced with still another crisis. As Mobile is a port city, problems of a racial nature would certainly occur at its docks. A major incident of 1946 is a good example. During the last days of December, 1945, the S. S.

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<sup>20</sup> John LeFlore, private interview with the author, August 4, 1970.

<sup>21</sup> Mobile Register, May 27, 1943, p. 2.

<sup>22</sup> Ibid., May 26, 1943, p. 10.

<sup>23</sup> Ibid., June 11, 1943, p. 2.

Frank Dodd docked in Mobile. It originally departed from San Francisco and was enroute to Greece with foodstuff from the United Nations Relief and Rehabilitation Administration.<sup>24</sup> On board when the ship docked was a Black cook and Black chief steward, too. The latter's name was William K. Vance. As steward, Mr. Vance held the rank of an officer, therefore he was entitled to special privileges such as room service. This was disapproved of by the majority of the whites aboard. These whites were members of two unions "that had very strong anti-black policies, the Seafarers International Union and the Seamen Union of the Pacific."<sup>25</sup> Scheduled to sail on June 1, the departure was postponed because just twenty-four hours prior twenty members of the aforementioned unions did not leave the ship and refused to sail.<sup>26</sup> A statement was issued by the striking crewmen that they refused to sail with Mr. Vance because he was "incompetent and has on several occasions threatened members of the crew . . . and we believe that if we go to sea with him that he may attempt us bodily harm."<sup>27</sup> Crew members further stated that they would sail with any other "colored steward or whoever is sent by their union."<sup>28</sup> Mr. Vance, however, contended that the act was solely one of "racial discrimination."<sup>29</sup>

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<sup>24</sup>Ibid., January 6, 1946, p. 1.

<sup>25</sup>John LeFlore, private interview with the author, August 4, 1970.

<sup>26</sup>Ibid.

<sup>27</sup>Mobile Register, January 6, 1946, p. 1.

<sup>28</sup>Ibid.

<sup>29</sup>Ibid.

Mr. Vance was urged to stay aboard by the Mobile Branch of the NAACP and his union, the Marine Cooks and Stewards.<sup>30</sup> Furthermore, Hugh Bryson, Vice President of the Marine Cooks and Stewards, commended Vance "for his vigilance and militant determination for justice," and urged him to remain on ship even if it was re-allocated to another company.<sup>31</sup>

Vance remained and picketing began even though the charges of incompetency and threats were investigated by Leo Morsette of the National Union of Maritime Cooks and Stewards and found to be false.<sup>32</sup> Telegrams were then sent by the Mobile Branch to Clarence Mitchell and President Harry Truman, respectively. They read:

SIU-SUP and Pacific Coast marine firemen's union said to be involved in an effort to tie up the Frank H. Dodd here at present moment to force Negro now aboard who is chief steward to leave the ship. Firemen's union Patrolman Butricia came here today by plane from New Orleans and told us in conference this evening that the Dodd is Matson Navigation line ship, San Francisco. It was scheduled today but is still in port with sailing postponed until tomorrow. We have urged the steward to hold his ground and stay aboard. Ship at Ala State Docks Pier B. Please give matter immediate attention.<sup>33</sup>

Colored seamen charge that covert measures which may be regarded as intimidatory have been employed by groups of white seamen to . . . pave the way for lily white crews. We respectively urge that proper federal agencies be ordered to investigate and determine the circumstances under which colored seamen fled the SS Martin Johnson at Pensacola...and Frank H. Dodd at Mobile, and ask that corrective steps be taken to halt any unfair practices discovered which have been used to instill fear in and to deprive Americans seamen of the right to earn a livelihood merely because of race, color, or creed.<sup>34</sup>

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<sup>30</sup>John LeFlore, private interview with the author, August 4, 1970.

<sup>31</sup>Telegram from Hugh Bryson, Vice President of Marine Cooks and Stewards, to William Vance, Steward, SS Frank Dodd, January 8, 1946, LeFlore Papers.

<sup>32</sup>Mobile Register, January 8, 1946, p. 2.

<sup>33</sup>John LeFlore to Clarence Mitchell, Fair Employment Practice Commission, January 3, 1946, LeFlore Papers.

<sup>34</sup>John LeFlore to President Harry Truman, January 3, 1946, LeFlore Papers.

Immediate response was sent by Mr. Mitchell asking for full details. When by January 5, the SS Dodd had not yet sailed, Mr. Mitchell flew to Mobile to settle the dispute. The incident was curbed when the War Shipping Administration re-assigned the SS Dodd to Lykes Brothers Steamship Company, thereby releasing it from Matson Steamship Lines. Also, a racially mixed crew of the National Maritime Union was hired after the old crewman were released. Although the re-allocation was protested and termed "unfair" by the striking crewmen, Mr. Vance and the new crew departed from Mobile on January 15.<sup>35</sup>

Another problem involving the Merchant Marine was the availability of housing. The United Seamen Service established hotel facilities for Black seamen "during the war days" by appointing local committees in port cities. In Mobile the committee was composed of a "large number of whites and a few Blacks."<sup>36</sup> Those Blacks included were B. F. Baker, high school principal, C. E. Powell and John LeFlore, both officials of the Mobile Branch of the NAACP. Whites included public officials such as the city commissioner Ernest Megison and other prominent citizens. During the 1948 committee sessions, Black committee members insisted that all seamen be housed under the same roof at a hotel located in the downtown section of Mobile. The plea for single facilities was ignored, however, as facilities for Blacks were eventually located on Dearborn Street between Dauphin and St. Francis in the Black section of the city. The hotel was appro-

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<sup>35</sup>John LeFlore, private interview with the author, August 4, 1970.

<sup>36</sup>Ibid.

privately named after Doren Miller, a Black Naval hero during the attack on Pearl Harbor.<sup>37</sup>

Because of incidents such as the ones described above, Blacks found it to their advantage to attempt to make the Fair Employment Practice Committee a permanent one. The committee had been established by President F. D. Roosevelt in 1941 under Executive Order 8802 in an effort to prevent job discrimination in factories that worked on government projects. As early as February, 1945, the Mobile Branch of the NAACP was requesting leaflets from their national office which would urge immediate action to secure a permanent Fair Employment Practice Committee.<sup>38</sup> Later in the same year telegrams were sent to President Truman and Congressman Adam Clayton Powell of New York. The following was addressed to President Truman:

Disconcerting rumors are spreading in this section indicating that politics and race prejudice are being condoned in the failure of House Committees to approve the continued existence of a Fair Employment Practice Committee. The right to a job is a fundamental principle of a democracy which should know no color line. Failure of the Congress to enact fair employment practice legislation would set the nation back at least fifty years in the struggle for economic and social justice for all Americans, irrespective of race, color or creed. Fair-minded people in this part of the deep south feel that it would be a calamity to have such happen during your administration or at any time in the future. Fascist-like forces in the Congress now opposing fair employment practices should no longer be tolerated in their misconception that they have the right to dictate policies in our government that are inconsistent with the principles of democracy which we profess to love and espouse. May we urge an unrelenting and vigorous attitude by you as chief executive of the nation toward the end that the congress enact legislation which would assure equal job opportunities for all regardless of race, color or creed.<sup>39</sup>

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<sup>37</sup>Ibid.

<sup>38</sup>Ibid.

<sup>39</sup> John LeFlore to President Truman, July 4, 1945, LeFlore Papers.

Congressman Powell received the following wire:

It is quite obvious that both Republicans and Democrats have failed the Negro and their minority groups with regards to the fundamental right of an American citizen to hold a job, regardless of race, color or creed.

A shameful condition in being imposed upon by those who profess to be the Negro's friends but oppose anything and everything which would improve the Black Proletariat's economic and social status. Disconcerting rumors in this section indicate that politics and race prejudice are being condoned in the failure of house committees to approve the continued existence of a Fair Employment Practice Committee.

Fascist-like forces in the congress now opposing fair employment practices should no longer be tolerated in their misconception that they have the right to impose upon the nation the disgraceful views which they hold on the race question. They must not be permitted to win. If nothing else may be done citizens throughout the nation would rally to raise funds to keep the FEPC continued, if lawful. We stand ready to raise at least \$5000 in Mobile.<sup>40</sup>

Although there is no record of response from either of the two telegrams, the citizens of Mobile continued their fight by establishing a council for Permanent Fair Employment Practice Committee consisting of prominent Black people of the Mobile community. Its purpose, of course, was self-explanatory. Usual items for discussion were: (1) plans to implement the strategy suggested by the National Council; (2) plans to expand and strengthen the Mobile Council; and (3) plans for procuring funds for the support of both local and national organizations.<sup>41</sup> Perhaps the highlight of the entire program of the council was the presentation of Dr. Mary McCloud Bethune, former director of the Negro Division of the National Youth Administration, at the State Street Baptist Church. During her speech, Dr. Bethune urged enactment of legislation establishing a permanent Fair

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<sup>40</sup> John LeFlore to Congressman Adam C. Powell, July 4, 1945, LeFlore Papers.

<sup>41</sup> John LeFlore, private interview with the author, August 4, 1970.



Employment Practice Committee.<sup>42</sup> Such activities in the port city, however, came to no avail, for the committee was abolished in 1946.

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<sup>42</sup>Ibid.

## CHAPTER III

### BATTLE FOR THE BALLOT

The South has always been guilty of opposing the attempts of Blacks to gain first class citizenship by obtaining their rights to the ballot. Since Reconstruction when the Fourteenth Amendment to the Constitution of the United States made Blacks citizens and the Fifteenth Amendment gave them the right to vote, southern politicians have tried to evade these laws by using any legal maneuver available. Immediately after Reconstruction Southerners worked for the complete disfranchisement of Blacks, "they differed only over the method."<sup>1</sup> Constitutions of southern states were amended to include literacy tests, good character clauses, poll tax, and even reading and understanding provisions as requirements for voting. Those who proposed such requirements often stated openly that the purpose for initiating such prerequisites was to disfranchise Blacks while extending the privilege to white applicants.<sup>2</sup>

The Alabama Constitution is a prime example of such maneuvers. Effective in November, 1901, the state constitution outlined the following qualifications for potential voters: (1) a male of at least twenty-one years of age, (2) resident of the state two years, county one year, and precinct

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<sup>1</sup>John Hope Franklin, From Slavery to Freedom-A History of Negro Americans (New York: Random House, 1969), p. 338.

<sup>2</sup>Loren Miller, The Petitioners (Cleveland: World Publishing Company, 1966), p. 218.

or ward three months immediately proceeding the election, (3) a person of good character who understands the duties and obligations of citizenship, (4) ability to read and write any article of the Constitution in the English language, and (5) be the wife of, or the husband or wife of the owner of forty acres of land, real estate, or personal property estimated at the value of at least \$300.<sup>3</sup>

The same qualifications were legal in 1940 when the number of Blacks aged twenty-one and over in the state was 521,000.<sup>4</sup> Approximately 200 Black Mobilians were then registered to vote.<sup>5</sup>

A probable major cause for the non-registration of otherwise qualified citizens was the poll tax. A relatively small tax of \$1.50 per year was charged for the privilege to cast a ballot. Until 1953, the state of Alabama permitted poll taxes to accumulate for a period of 24 years so that a prospective voter might be charged as much as \$36. Upon reaching forty-five years of age the voter was no longer liable to pay the tax, but was still required to pay or have paid all taxes for which he had liable from age twenty-one to forty-five.<sup>6</sup>

With the expense of the poll tax and the requirements of literacy and property valued at \$300, few Blacks were willing to sacrifice both time and money for a seemingly meaningless attainment. However, after World War II, eligible men were more aware of the importance of the ballot. A war waged for freedom had a definite impact on Black soldiers engaged in

<sup>3</sup>Alabama, Constitution (1901), Art. 8, secs. 177, 178.

<sup>4</sup>V. O. Key, Southern Politics in State and Nation (New York: Alfred A. Knopf, 1949), p. 520.

<sup>5</sup>Mobile Register, April 15, 1942, p. 6.

<sup>6</sup>Frederic D. Ogden, The Poll Tax in the South (Tuscaloosa: University of Alabama Press, 1958), p. 33.

the struggle. Many Blacks returned with a deep conviction to better themselves civilly. Of course, a major method was the attainment of the ballot, one key to first class citizenship.

To increase the movement for full citizenship, the Mobile Branch of the NAACP did much to acquire full involvement in the election process by working to eliminate the white primary. Simultaneously, the national office in New York City was fighting through Texas courts in the Smith v. Allwright case. After the case had been filed in the United States Supreme Court in April, 1943, Thurgood Marshall reassured LeFlore of "the importance of this case to Alabama and the other states as well as to Texas."<sup>7</sup> Indeed, the case eventually ended the exclusion of Blacks from party primaries. Heretofore, the Supreme Court had held that the party primaries were not integral parts of the election process. Lonnie Smith filed suit for damages when he was not permitted to vote in the 1940 Texas Democratic primary. After being dismissed by lower courts because of the premise by lower courts that the Democratic Party was a private organization having perfect rights to limit membership on the basis of race, the case finally reached the U. S. Supreme Court. The latter ruled that "the selection of party nominees for inclusion on the general election ballot makes the party which is required to follow these legislative laws an agency of the state insofar as it determines participants in a primary election."<sup>8</sup>

Testing the decision of the Court, Thurgood Marshall issued a memorandum asking all qualified voters to present themselves at the polls to

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<sup>7</sup>Thurgood Marshall, NAACP Defense Department, to John LeFlore, April 23, 1943, LeFlore Papers.

<sup>8</sup>Miller, The Petitioners, p. 294.

vote in the primary election and, if refused, to make out affidavits of the refusal and send them to the national office. Marshall was convinced that "the decision authorizes the voting of Negroes in all primary elections both federal and state." He was certain that "in some instances Negroes will be denied the right to vote" despite the ruling. He further stated that "in all such instances we must handle all cases in such a manner as not to conflict with others."<sup>9</sup>

Such affidavits were immediately filed by Mobile voters. Frank Jones was denied the privilege to cast a vote in the Sixth Ward even though his name appeared on the 1944 list of qualified voters of Mobile County.<sup>10</sup> Deputy Sheriff Frank Pryor prohibited Albert Davis, Taylor Burroughs, Raymond Perry, and James Battle from voting in the Democratic primary election at the Seventh Ward. Dr. Plesent Goode, a local dentist, was prohibited at the Fourth Ward.<sup>11</sup>

Other citizens, Raphael Taylor, Sr. and Alexander Herman, who were allegedly refused absentee ballots for the May 2nd Democratic primary sent letters to the Special Council of the Civil Liberties Division.<sup>12</sup>

In order to fund the attack in the courts and Justice Department against the prevention of Blacks from voting in the May 2nd Democratic primary, the Mobile Branch of the NAACP issued an Emergency Appeal to the citizens of Mobile asking for a \$10 donation and organizations for \$50.<sup>13</sup>

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<sup>9</sup>Memorandum from Thurgood Marshall, NAACP Defense Department, to NAACP Branches, New York, May 8, 1944, LeFlore Papers.

<sup>10</sup>Affidavit of Frank Davis, May 9, 1944.

<sup>11</sup>Affidavit of Albert Davis, May 9, 1944.

<sup>12</sup>Raphael Taylor, Sr. and Alexander Herman to V. J. Rotmen, Special Council of the Civil Liberties Division, May 9, 1944, LeFlore Papers.

<sup>13</sup>Newsletter, NAACP, Mobile Branch, May 16, 1944, LeFlore Papers.

Further attempts to raise money included the request for financial assistance from the President and faculty members of Alabama State College at Montgomery.<sup>14</sup>

Aside from problems surrounding the primaries, Blacks had to deal with an amendment proposed by State Representative E. C. Boswell. This 55th amendment to section 181 of the Alabama Constitution read:

After the first day of January, nineteen hundred and three, the following persons, and no others, who if their place of residence shall remain unchanged, will have, at the date of the next general election, the qualifications as to residence, prescribed in section 178 of this article, shall be qualified to register as electors provided they shall not be disqualified under section 182 of this constitution: those who can read and write, understand and explain any article of the Constitution of the United States in the English language and who are physically unable to work and those who can read and write, understand and explain any article of the Constitution of the United States in the English language and who have worked or been regularly engaged in some lawful employment, business, or occupation, trade, or calling for the greater part of the twelve months next preceeding the time they offer to register, including those who are unable to read and write if such inability is due solely to physical inability; provided, however, no person shall be entitled to register as electors except those who are of good character and who understand the duties and obligations of good citizenship under a republican form of government.<sup>15</sup>

It was approved by the legislature in 1945 and was then to be submitted to the people for ratification by the voters. Its author, State Representative E. C. Boswell, asked for public support from Handy Ellis, Lieutenant Governor; Gordon Persons, Public Service Commission President; Joe Poole, Agriculture Commissioner; and Elbert Boozer, Probate Judge of Calhoun County who had all announced their candidacy for the governor-

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<sup>14</sup>John LeFlore to Council Trenholm, President, Alabama State College, May 16, 1944, LeFlore Papers.

<sup>15</sup>Alabama, Constitution (1946) amendment LV, sec. 181.

ship.<sup>16</sup> Public support was evidently rallied as the bill was adopted in the November, 1946 election by a vote of 40,211 to 35,980.

Prior to its passage, however, many Blacks, who anticipated its ratification, attempted to register. It is estimated early in 1946 that out of 19,000 registered voters in Mobile County, only about 275 were Black.<sup>17</sup> A cause for such a small number was the uncooperative attitude of the members of the Board of Registrars. Affidavits were filed testifying to the absolute refusal of the members to give fast, impartial, and courteous service to Blacks. Elliot Battle stated that when he arrived at the office of the Board at 8:00 a.m., he found approximately twenty Blacks in a segregated line. He left at 9:30 a.m. to report to work but returned at 12:30 p.m., finding only ten in line. At 5:00 p.m. there were some fifteen Blacks remaining, three of whom preceeded him, who had been waiting prior to 4:00 p.m. All whites that had arrived before 5:00 p.m. were admitted to the registration office, approximately twenty-five whites arrived after 5:00 p.m., and ten of them were admitted. Two of the long waiting Blacks were allowed to enter while everyone else was told that the office was closed for the day.<sup>18</sup>

Although daily records of the waiting lines were not kept, the number of Blacks attempting to register was so unusual that it was mentioned in a newspaper article. Board Chairman Milton Schnell stated that Blacks were attempting to appear before the board in "unusually large" numbers and "that many of the groups could not be reached before the office closed." As for actual registering, the matter was somewhat different. On January 16, 1946, 296 people were registered to vote; only twenty were Black. The

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<sup>16</sup>Mobile Register, January 4, 1946, p. 10.

<sup>17</sup>Ibid., February 3, 1946, p. 1-B.

<sup>18</sup>Ibid.

waiting lines, however, were composed of an almost equal number of both Blacks and whites.<sup>19</sup>

As a result of such large numbers of Blacks attempting to register, Blacks were not surprised when whites started harassment. Napoleon Rivers, a member of the NAACP who strongly urged Blacks to register, was the victim of physical assault by several policemen. Rivers had been talking with several people in the waiting lines at the Board of Registrars when Schnell arrived and accused him of disturbing the peace. In a loud voice, Schnell asked Rivers to leave; he did not comply. Policemen arrived and injured Rivers to the extent that he required several stitches. He was then jailed. Witnesses stated that there was no reason for the incident.<sup>20</sup>

Another occurrence was the accusing of John LeFlore of political activities in violation of the Hatch Act and the federal Civil Service Code. Schnell stated that LeFlore had persistently entered the board's office to coach other Blacks who were about to be examined.<sup>21</sup> The Hatch act which LeFlore was accused of violating was passed in 1940, and it stipulated that government employees' only political rights were the right to vote and express their personal opinion.<sup>22</sup> As an employee of the United States Postal System, LeFlore was threatened by Schnell. Schnell's accusation that LeFlore was "ignoring the provisions of the Civil Service Code by his political activities in the courthouse during the past few weeks when hundreds of negroes have appeared seeking to register as voters" was

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<sup>19</sup>Affidavit of Elliot Battles, Mobile, May 6, 1946, LeFlore Papers.

<sup>20</sup>John LeFlore to Roy Wilkins, Executive Secretary of NAACP, 1946, LeFlore Papers.

<sup>21</sup>Mobile Register, February 1, 1946, p. 10

<sup>22</sup>"Hatch Act", World Book Encyclopedia, 1969, IX, 88.



refuted by LeFlore. LeFlore asserted that he had merely appeared before the board as a voucher and witness for "several colored persons whom I have known for a long time." He felt that the threat was simply a retaliation to charges which the Citizens' Committee of the NAACP had filed with the Department of Justice which accused the board of discrimination against Blacks when they attempted to register. LeFlore was not surprised by Schnell's threat.<sup>23</sup>

Schnell soon carried out his threat; he registered his complaint with Postmaster William B. Taylor. Taylor, however, declared himself unable to act on the matter but did promise "to report the matter to the Post Office Department and request it make whatever investigation it deems proper."<sup>24</sup> The investigation never occurred.

Although these attempts to slow down Black traffic in the board's office were successful, so too was the less visible method of the examination. This examination was to be administered to "any white person or negro whose ability to read and understand the National Constitution was in question." Blacks who were college graduates were not required to take the ninety minutes examination.<sup>25</sup>

Observers noted, however, that in many instances white registrants requiring aid in completing their registration forms because of illiteracy were not required to take the examination. Yet at the same time, Black applicants were rejected because they could not read sections of the constitution to the satisfaction of a board member.<sup>26</sup> One such observer stated

<sup>23</sup>Mobile Register, February 1, 1946, p. 10.

<sup>24</sup>Ibid., February 5, 1946, p. 1-B.

<sup>25</sup>Ibid., January 16, 1946, p. 6.

<sup>26</sup>John LeFlore to Kenneth Smith, Civil Liberties Division-Justice Department, January 31, 1946, LeFlore Papers.

that the sections selected "included several words of long syllables and were difficult to pronounce."<sup>27</sup>

After the Boswell Amendment the situation became steadily worse. Ulysses Reed, who served in the Southwest Pacific Theater of Operations during World War II, attempted to register to vote upon his discharge and return home. "My first encounter with the board was a failure because the examiner said I misspelled the word "enumerate" or "numerate" in my written interpretation of the constitution."<sup>28</sup> While present Reed noticed that four whites were allowed to register without reading or interpreting any portion of the constitution.<sup>29</sup> Leon Branch, also present, attested to the encounter.<sup>30</sup> In an un-notarized statement, Eunice Peterson, Ruth Ferrari, Dorothy Duponte and William Peterson, all of whom were white, stated that on the same date they were registered without being asked any questions about the constitution. They further affirmed that several Blacks who entered were asked to interpret segments of the Constitution and were questioned as to their criminal record. They overheard several say they were World War II veterans. They also declared that three other whites were also registered without being asked questions concerning the Constitution.<sup>31</sup>

By late 1948 the Black political strength had more than doubled. This "token voting strength" was proof that the Boswell amendment was

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<sup>27</sup>Affidavit of James Dial, Mobile, May 6, 1946, LeFlore Papers.

<sup>28</sup>Letter from Ulysses Reed, Mobile citizen, to author, September 2, 1971.

<sup>29</sup>Affidavit of Ulysses Reed, Mobile, October 20, 1948.

<sup>30</sup>Affidavit of Leon Branch, Mobile, October 21, 1948, LeFlore Papers.

<sup>31</sup>Affidavit of Eunice Peterson, Ruth Ferrari, Dorothy Duponte and William Peterson, Mobile, 1948, LeFlore Papers.

successful in keeping even half of the 1,000,000 Black population from registering. Described as "one of the last citadels of Dixie's white supremacy crowd to block Negro voting and civil rights progress in the south," the Boswell amendment obviously had to be nullified.<sup>32</sup>

John LeFlore was working closely with Mrs. Dorothy Duponte, a Progressive Party organizer, when they decided to attack the amendment. "After realizing the triviality of one misspelled word, they asked if the organization could file suit in my behalf to challenge the constitutionality of the Boswell Amendment. Naturally, I agreed," stated Ulysses Reed.<sup>33</sup> The suit never got to court, however, for another local organization, the Voters and Veterans Organization, had already filed suit in federal court against Milton Schnell in behalf of Hunter Davis and nine other Blacks.<sup>34</sup>

The ten Black plaintiffs had as their attorneys David R. Landau and George N. Leighton, both of Chicago, Illinois. Attorneys for the defense, Governor Folsom and the Mobile County Board of Registrars, were A. A. Carmichael, Attorney General of Alabama; Silas C. Garrett III, Assistant Attorney General of Alabama; E. C. Boswell, of Geneva, Alabama; Ira B. Thompson, of Montgomery, Alabama; Kenneth Griffith, of Cullman, Alabama; and Carl Booth of Mobile.<sup>35</sup>

On August 9, counsel for both sides were asked to submit briefs

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<sup>32</sup>Press Release to Chicago Defender by John LeFlore, November 7, 1948.

<sup>33</sup>Letter from Ulysses Reed, Mobile citizen, to author, September 2, 1971.

<sup>34</sup>Ibid.

<sup>35</sup>Davis v. Schnell, 81 F. Supp. 873-4.

outlining their argument.<sup>36</sup> By late October the briefs had been filed. District Judge John McDuffie then issued a written request to Judge Joseph G. Hutcheson, Jr., New Orleans, of the Fifth Circuit Court of Appeals, to name a circuit judge and another district judge to sit with him on the case.<sup>37</sup> Judge Leon McCord was chosen as Circuit Judge while Judge Clarence Mullins was the selected from the Second District.<sup>38</sup> The trial was set for November 5. Assistant Attorney General Silas Garrett argued the state's motion to dismiss the suit. George Leighton presented arguments for the plaintiffs.<sup>39</sup>

On November 7, all day hearings were held and Attorney Leighton for the plaintiffs agreed to eliminate Governor James Folsom as a defendant. This left only Milton Schnell, Mrs. D. C. Randle and E. J. Gonzales as defendants. Leighton also struck from his petition an allegation that the Boswell disfranchisement scheme was part of a "gigantic conspiracy against colored people and other non-members of the Democratic Party."<sup>40</sup>

In its case the plaintiffs alleged that they had attempted to register to vote but were not allowed to because "the defendants were not satisfied with the explanations given." They further alleged that while the defendants refused to register them, "white applicants with less qualifications" were registered. Plaintiffs averred that they possessed all other qualifications listed by the State of Alabama. It was on these allegations that

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<sup>36</sup>Press Release to Chicago Defender by John LeFlore, October 21, 1948, LeFlore Papers.

<sup>37</sup>Ibid., October 23, 1948.

<sup>38</sup>Ibid., October 30, 1948.

<sup>39</sup>Ibid.

<sup>40</sup>Ibid., November 7, 1948.

the plaintiffs sought "a declaratory judgement declaring the Boswell Amendment unconstitutional and ask for injunctive relief against the further enforcement of the provisions of the same."<sup>41</sup>

In answering the complaints, two of the defendants denied the unconstitutionality of the law was fair and impartial. They admitted that three of the defendants, Hunter Davis, Julius B. Cook, and Russel Gaskins, had applied to the board and were rejected. They contended that in actuality a controversy existed between plaintiffs and the defendants. E. J. Gonzales, the third board member, stated that he "could not join all of the denials contained in their answer."<sup>42</sup>

During the course of the trial, evidence was admitted which showed that during the term of the defendant board, October, 1947 to March 1, 1948, that more than 2800 whites were registered and only 104 Blacks.<sup>43</sup> The fact that the population of Mobile County was 236,000 of which 36 per cent was Black made this discrepancy more glaring.

At the completion of the trial proceedings, the three judge panel made its decision. Judge Mullin stated in his written opinion: "It, thus appears that this Amendment was intended to be, and is being used for the purpose of discriminating against applicants for the franchise on the basis of race and color. Therefore, we are necessarily brought to the conclusion that this Amendment to the Constitution of Alabama, both in its object and the manner of its administration, is unconstitutional because

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<sup>41</sup>Davis v. Schnell, 81 F. Supp. 874-5.

<sup>42</sup>Ibid., 875.

<sup>43</sup>Ibid., 876.

it violates the Fifteenth Amendment."<sup>44</sup>

Thus, the last great bulwark to Black voting was struck down. It was then up to Blacks to use their potential power to better the conditions of life in Mobile.

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<sup>44</sup>Ibid., 880.

## CHAPTER IV

### FOR WANT OF RESPECT

Failure to show respect to another human being is not punishable by law unless that failure takes on a more tangible form. The stigma of slavery and second class citizenship did much to deprive Blacks of respect ordinarily given to men and women. The forties, in Mobile, is a supreme example of Blacks not receiving this esteem and of their attempt to gain it. Often the denial of respect by whites took on tangible forms that were ignored by law. Just as often the denial was a matter of personal choice with no legal implications whatsoever.

Teche Bus Lines was a large company which chose to ignore the attempts of Blacks to gain respect. In their Mobile office, employees of Teche lines were reported as being impartial and often hostile to Blacks requiring their services. Mrs. Calanthe Young was one victim of Teche lines employees. Upon traveling to another city Mrs. Young was one of the first passengers to present herself at the bus after the call was made to passengers who were to board. The driver forbade her to board the bus until all white passengers were loaded; he then told her that she could not ride the bus for it was too crowded at that time. Mrs. Young was not informed by the driver that another section would leave in a few minutes; thus she waited for four and one-half hours until the next scheduled bus.<sup>1</sup>

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<sup>1</sup>Press Release to Chicago Defender from John LeFlore October 29, 1940, LeFlore Papers.

Even agents of city institutions used their position for the same purpose. At the Driver's License Bureau in the Mobile County Courthouse, a former Mobilian, who had returned to the city, tried to file for a commercial driver's license. Upon being asked if he had a license from another state the applicant replied yes. The State Highway patrolman then asked him to repeat his answer whereupon he again stated yes. The patrolman then declared "You say yes sir or get the hell out of here and I don't care which one." The applicant simply proceed to show his driver's license and the patrolman gave him further instructions on getting the license he sought.<sup>2</sup>

Another incident involved a prominent Alabama educator, Dr. Benjamin F. Baker, and his twenty-two year old son, Benjamin, Jr. Both men were spectators at a local football game. Immediately after the game Benjamin, Jr., went on the playing field. In ordering him off the field policemen called him a "nigger" and pushed him. Young Baker resented the incident and a scuffle ensued. The disturbance attracted the attention of the father who immediately offered to take his son home. Both were arrested, but the charge of interfering with officers in making an arrest against Dr. Baker was dismissed. Young Baker was fined \$100 and the costs of court for disorderly conduct and \$50 for resisting arrest.<sup>3</sup>

Use of the word "nigger" by whites caused other Blacks to react. Mrs. Marie Gayle was riding a city bus when she was asked to give her seat to two white passengers. When she refused, the driver, Clarence

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<sup>2</sup>Letter from George LeFlore to John LeFlore, January 22, 1943, LeFlore Papers.

<sup>3</sup>Press Release to Chicago Defender from John LeFlore, November 22, 1948, LeFlore Papers.



McCarn, attacked her saying, "I'm the boss of this bus and when I say for a nigger to stand up, I mean stand up." He struck her with his fist several times, breaking her glasses in the process. McCarn also struck her with a metal ticket puncher several times, the resulting wound required several stitches. The occurrence was witnessed by several whites; however, only one, Mrs. Mae Farr, was willing to testify in Mrs. Gayle's behalf. McCarn testified that he was trying only to enforce the city ordinance requiring segregation of the races on the bus. He further stated that there were vacant seats in the rear which Mrs. Gayle refused to take. McCarn was found not guilty of disorderly conduct by an all white jury which termed the incident an affray. Judge Edington would not allow the jury to rule in Mrs. Gayle's case since the jury regarded the case as an affray.<sup>4</sup>

Another case of disorderly conduct was that of Robert Carter, a Mobile postman, who was arrested on a complaint that he winked at a white woman. The woman was employed in a Sam Joy laundry on Davis Avenue in the Black section of town. She was behind the counter in the building while he was sitting in his car in the parking lot. Carter, however, was cleared of disorderly conduct in Police Court.<sup>5</sup>

All victims were not so fortunate in their dealings with the police. Mrs. Ella Clinton reported to patrolling policemen Johnnie Smith and Lambert Barrett that Eugene Johnson was in her home threatening her mother. Upon their arrival Johnson was found gone. Mrs. Clinton remained in the car and identified Johnson on the corner of Lawrence and Texas

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<sup>4</sup>Ibid.

<sup>5</sup>Ibid., October 22, 1948.

streets. Said Officer Smith to reporters, "As we pulled up and got out of the car, he reached in his coat pocket;" Patrolman Smith opened fire and critically wounded Mr. Johnson. Johnson was not armed when shot.<sup>6</sup> There is no record of any action being taken against the police officers.

Civilians were not the only victims of racism in the city. Black servicemen at Brookley Air Depot were also subjected to the flow of discrimination by Mobile's white citizenry. On August 2, 1942, Private Henry Williams, a native of Birmingham, Alabama, was riding an in-bound Cedar-Davis bus when at the corner of North Royal and Adams Street the bus driver, Grover Chandler, shot him three times. The shots, one each in the head, neck and arm, killed Williams instantly. An investigation by Chief of Police Dudley McFayden and Lieutenant Tally Rollings revealed Chandler shot after an alleged argument with the passenger. Under Alabama law it was perfectly legal for bus drivers to carry fire arms.<sup>7</sup>

Chandler's case was heard in Recording Court by Judge McCall. At the hearing Chandler was bound over to Grand Jury which in September, 1942, refused to indict him.<sup>8</sup>

The Mobile Branch of the NAACP did not let the killing of Private Williams end with the decision of the Grand Jury. Secretary LeFlore gathered and sent evidence to the War Department and to Colonel Vincent Dixon of the Brookley Air Depot.<sup>9</sup> He pleaded with both to take legal

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<sup>6</sup>Mobile Register, October 3, 1944, p. 1.

<sup>7</sup>Ibid., August 16, 1942, p. 1.

<sup>8</sup>Official Records of Recorder's Court, Mobile, September, 1942.

<sup>9</sup>John LeFlore to Colonel Vincent Dixon, Brookley Air Depot, October 17, 1942, LeFlore Papers.

actions against Chandler but to no avail. Finally, Colonel Dixon stated that military authorities could not prosecute a civilian for killing a soldier unless the murder took place on a federal reservation.<sup>10</sup>

The federal reservation at Brookley had segregated facilities for Black and white soldiers. Blacks were housed at the Old Mobile County Fair grounds. The isolated area was enclosed with a barbed wire fence, which gave the region the appearance of a stockade. The barracks had no glass window panes and there was only one Post Exchange for Blacks on the entire base.<sup>11</sup>

Under such conditions racial problems were inevitable, and on May 24, 1944, trouble started. A white civilian reported to military policemen that he had been beaten and robbed by a Black soldier shortly after midnight at the main entrance to the base. On entering the Black quarters in order to identify the robber, the victim and two military policemen were fired upon. Nearby residents reported the sound of gunfire causing local police to speed to the scene only to return after discovering the trouble was confined to the military base. Only one soldier, Staff Sergeant Wellington D. Abrams, white, was wounded in the incident and was placed in Brookley's base hospital in critical condition.<sup>12</sup>

Nine Black privates, Clarence Rogers, Garfield Thomas Jr., Enos Bailey, Willie Ward Jr., Willie Fleetwood, Willie Wright, Edward C. Roose, John E. Grant and Willie Lane, were accused of violating sections 66, 67, and 89 of the Articles of War which state:

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<sup>10</sup>Dixon to John LeFlore, October 22, 1942, LeFlore Papers.

<sup>11</sup>John LeFlore to Truman Gibson, War Department, June 28, 1944, LeFlore Papers.

<sup>12</sup>Mobile Register, May 25, 1944, p. 1; May 26, 1944, p. 1.

Article 66-Mutiny or Sedition-Any person subject to military law who attempts to create or who begins, excites, causes or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard or other command shall suffer death or such punishment as a court martial may direct.

Article 67-Failure to Suppress Mutiny or Sedition-Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place does not without delay give information thereof to his commanding officers shall suffer death or such other punishment as a court-martial may direct.

Article 89-Good Order to be Maintained and Wrongs Redressed-All persons subject to military law are to behave themselves orderly in quarters, garrisons, camp, and on the march; and any person subject to military law who commits any waste or spoil, or willfully destroys any property whatsoever (unless by order of his commanding officer), commits any kind of depredation or not, shall be punished as a court martial may direct.<sup>13</sup>

The prosecution, led by Lieutenant Colonel William McCaw, had witnesses to prove that the occurrence lasted about an hour and a half despite cries of cease fire by white officers. Weapons used were carbines and submachine guns obtained illegally by breaking into racks in gun rooms of the 437 Aviation Squadron and the 4906th AAF Base Unit where the incident took place.<sup>14</sup>

Witness for the prosecution, Captain Richard Greene, commanding officer of the 437 Aviation Squadron, testified that he had been called from his quarters to help end the riot, but upon approaching the area he had to abandon his jeep and crawl within twenty-five yards of the area because of gunfire. He then said to the soldiers "Cease firing--this is Captain Greene and I'm coming into the area." His words were met with

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<sup>13</sup>Ibid., June 27, 1944, p. 7.

<sup>14</sup>Ibid., p. 1.

additional gunfire. He reached the gun room and discovered thirty-five carbines, twenty-seven submachine guns and between 2,000 and 3,000 rounds of ammunition were missing. Approximately 1,000 rounds of ammunition were allegedly fired.<sup>15</sup>

Captain Robert Ferguson said that he heard someone yell, "the M.P.'s have got guns, and so have we." He, too declared that he gave an order, "This is the officer of the day, lay down your arms," but firing continued.

Other officers testified of their findings. First Lieutenant Howard Wisquist, commander of the 4906th AAF Base Unit, found the floor covered with Black soldiers seeking safety.<sup>16</sup>

Black soldiers were also witnesses for the prosecution. Staff Sergeant Curtis Nunally testified that he had seen John Grant, Willie Lane, Enos Bailey, and Edward Reese with guns. Private Gilbert Redding testified that he had seen Willie Ward, Willie Wright, Garfield Thomas and Clarence Rogers with guns approximately three to five minutes before the shooting started.<sup>17</sup>

Defense attorney Lieutenant Colonel Grant Richards sought to disprove Nunally's testimony on the basis that it was in direct contradiction with a signed statement made on June 13th. The defense also allowed eight voluntary defendants to take the witness stand, only one defendant--Private Willie Wright--chose to remain silent. The eight defendants pleaded their personal innocence, testified on the involvement of co-defendants and charged unidentified persons with the outbreak of violence.<sup>18</sup>

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<sup>15</sup>Ibid., p. 7.

<sup>16</sup>Ibid.,

<sup>17</sup>Ibid.

<sup>18</sup>Ibid., June 29, 1944, p. 1.

Despite their efforts to show their innocence, members of the court-martial board declared the defendants guilty of mutiny and agreed on a hard labor imprisonment term of from eighteen to twenty-five years. Black defendants were also dishonorably discharged from the service and had any due pay or allotments forfeited.<sup>19</sup> Though technically guilty, punishment was rather harsh since the riot was caused by extenuating segregated circumstances and was a spontaneous matter.

Blacks were again the victims of injustice at Brookley when Private Willie Swopes was courtmartialed for insulting a white member of the Women's Army Corps. He was sentenced to eight years in prison and dishonorably discharged from the Army. Despite efforts of the Mobile Branch of the NAACP, the verdict remained the same.<sup>20</sup>

Thus was the situation of Blacks trying to gain much wanted respect in the port city.

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<sup>19</sup> Ibid., June 30, 1944, p. 1.

<sup>20</sup> John LeFlore to Brigadier General James Mollison, Commanding Officer of Brookley Air Depot, June 28, 1944, LeFlore Papers.

## CONCLUSION

Life in Mobile in 1940 and in 1948 was socially and economically quite different. There were still the Azaela Trail Maids, the official plantation home, and the private owned plantation style homes with the oak trees, but there was a new breed of Black men. Whites fought hard to eliminate this new breed from the social, political and economic aspect of life in Mobile but these Blacks fought equally as hard to become a part of this life. One cannot ignore the advantages whites had for attempting to obstruct Blacks; surely a docile and apathetic Black is of more advantage to the continuation of a given life style than is a politically and economically conscious one.

World War II is responsible for a great deal of the change. It magnified the economic aspect of the city by the introduction of Brookley Air Depot and by its dependence on employment at the Alabama Drydock and Shipbuilding Company. It also caused many young and impressionable Blacks to go abroad to risk their lives for the freedoms of foreign people.

The reluctance of whites to acknowledge this change has been emphasized. Fear of the loss of political and economic power caused many of these whites to strike back in whatever manner necessary. One cannot, however, condone the shooting of innocent men, the beating of both men and women or the verbal assault often used on both sexes.

This new breed of Black men and women were entitled to their right to vote without first explaining parts of the Constitution of the United States; they were entitled to become welders and to hold their jobs as

postmen, etc.

The NAACP played the major role in the attainment of the jobs, the right to vote without first being interpreted by a Board of Registrars and legal redress against private individuals. The organization was the force behind the will of the people; its leaders were threatened by the white community, but still they struggled to put aside the obstacles in the path of the advancement of Black people. Although not always successful, the NAACP-Mobile Branch under the leadership of John LeFlore certainly fought for the best interest of its people. The organization and its administrators, who were dedicated to the improvement of life for Blacks in Mobile, were a source of pride to the Black community.



## BIBLIOGRAPHY

### Primary Sources

John LeFlore Papers. These papers are valuable for the correspondence by Mr. LeFlore to and from officials, the NAACP, federal government agencies, local businesses, labor unions, and private citizens.

Dixon, Vincent, Colonel, Brookley Air Depot to John LeFlore, Secretary of the NAACP-Mobile Branch. October 22, 1942.

LeFlore, George, Mobile citizen to John LeFlore, Secretary of the NAACP-Mobile Branch. January 22, 1943.

LeFlore, John, Secretary of the NAACP-Mobile Branch to R. V. Billington, Executive Assistant in Vocational Education. November 16, 1940.

\_\_\_\_\_, to G. P. Brock, Gulf Mobile and Ohio Railways. October 10, 1940.

\_\_\_\_\_, to E. J. Condon, Assistant to President of Sears and Roebuck. May 17, 1940.

\_\_\_\_\_, to Colonel Vincent Dixon, Brookley Air Depot. October 17, 1942.

\_\_\_\_\_, to Truman Gibson, War Department. June 28, 1944.

\_\_\_\_\_, to Sidney Hillman, National Defense Advisory Commission. November 11, 1940.

\_\_\_\_\_, to S. H. Kress Co. May 17, 1940.

\_\_\_\_\_, to Brigadier General James Mollison, Commanding Officer of Brookley Air Depot. June 28, 1944.

\_\_\_\_\_, to C. C. Morton, Work Projects Administration. November 14, 1940.

\_\_\_\_\_, to William Pickens, Director of the NAACP Branches. August 28, 1940.

\_\_\_\_\_, to E. R. Plowden, State Supervisor of Trade and Industrial Education. May 1, 1941.

\_\_\_\_\_, to Kenneth Smith, Civil Liberties Division of Justice Department. January 31, 1946.

\_\_\_\_\_, to Council Trenholm, President of Alabama State College.  
May 16, 1944.

Marshall, Thurgood, NAACP Defense Department to John LeFlore, Secretary  
of the NAACP-Mobile Branch. April 29, 1941.

Marshall, Thurgood, NAACP Defense Department to John LeFlore, Secretary  
of the NAACP-Mobile Branch. May 7, 1941.

\_\_\_\_\_, to John LeFlore. April 23, 1943.

Reed, Ulysses, Mobile Citizen, to Boyte Presnell, author. September 2,  
1971.

Taylor, Raphael and al., Mobile citizens to V. J. Rotmen, Special Council  
of the Civil Liberties Division. May 9, 1944.

#### Telegrams

Bryson, Hugh, Vice-President of Marine Cooks and Stewards to William  
Vance, Steward. Mobile. January 8, 1946.

LeFlore, John, Secretary of the NAACP-Mobile Branch to Fair Employment  
Practice Commission. January 3, 1946.

\_\_\_\_\_, to Congressman Adam C. Powell. July 4, 1945.

\_\_\_\_\_, to President Harry S. Truman. July 4, 1945.

\_\_\_\_\_, to President Harry S. Truman. January 3, 1946.

\_\_\_\_\_, to Roy Wilkins, Executive Secretary of the NAACP. 1946.

#### Newspapers

Mobile Register, 1942-1946.

Chicago Defender. Press Releases by John LeFlore, October-November, 1948.

#### Secondary Sources

##### Books

First National Bank of Mobile. Highlights of One Hundred Years in Mobile.  
Mobile: Powers Co., 1965.

Franklin, John Hope. From Slavery to Freedom. New York: Random House,  
1969.

Key, V. O., Jr. Southern Politics. New York: Alfred A. Knopf, 1949.

Miller, Loren. The Petitioners. Cleveland: World Publishing Co., 1966.

Ogden, Frederic. The Poll Tax in the South. Tuscaloosa: University of Alabama Press, 1958.

Polk, R. L., ed. Mobile's City Directory. Mobile: R. L. Polk, 1940.

#### Interviews

Mobile Area Chamber of Commerce. Telephone interview with author. Mobile: June 3, 1970.

Dortch, Ellen. Private interview with the author. Mobile: June 17, 1970.

Drake, Clara. Private interview with the author. Mobile: June 17, 1970.

Drake, Tucker. Private interview with the author. Mobile: June 17, 1970.

LeFlore, John. Private interview with the author. Mobile: August 4, 1970.

Manuel, Mary. Private interview with the author. Mobile: June 17, 1970

Riley, Beatrice. Private interview with the author. Mobile: June 17, 1970.